

T00-0074  
ORIG

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

ORIGINAL

STIPULATED AGREEMENT

This agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission, hereinafter referred to as the "Commission", the ELGIN, Joliet and Eastern Railway Company, hereinafter referred to as the "Company" the Township of Wheatland in Will County, hereinafter referred to as the "Wheatland ", the City of Crest Hill in Will County, hereinafter referred to as the "City ", and the State of Illinois, Department of Transportation, hereinafter referred to as the "Department".

WITNESSETH:

WHEREAS, it has come to the attention of the Commission through informal correspondence that inquiry should be made into the matter of improving public safety at the crossings of the Company's track with public highways known as 95<sup>th</sup> Street and 111<sup>th</sup> Street, located near Plainfield in Wheatland Township, and Gaylord Road, located in Crest Hill in Plainfield Township, all in Will County, Illinois, designated as crossings DOT 260 565G, milepost 57.80-A, DOT 260 567V, milepost 59.40-A, and DOT 260 589V, milepost 68.44-A, respectively; and

WHEREAS, proper investigation has been made of the circumstances surrounding the aforesaid crossings by a staff member of the Commission's Transportation Division, Railroad Section; and

WHEREAS, the physical aspects, including geometrics of the intersections, train movements, vehicular traffic volumes, and all other pertinent data relating to the crossings have been obtained and shown on Exhibits A, A-1, and A-2, attached to the agreement; and

WHEREAS, the parties are mutually agreeable to accomplish the proposed improvements upon a determination of the Commission by Order.

NOW, THEREFORE in consideration of the premises and of the mutual covenants and agreements as hereinafter contained the parties pray that the Commission enter an Order according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law requiring that certain improvements as hereinafter stated be made and that the cost for the proposed improvements be divided among the parties according to law and that in the interest of the statewide traveling public the Grade Crossing Protection Fund of the Motor Fuel Tax Law be required to bear a substantial portion of the cost; To Wit the parties agree as follows:

Section 1 All improvements encompassed by this agreement shall be made in accordance with all applicable State laws, rules, standards, regulations and Orders and procedures in general.

Section 2 The parties are of the opinion that the proper improvements in the interest of public safety at the aforesaid crossings should be:

95<sup>th</sup> Street

- a) the COMPANY should remove the existing automatic flashing light signals and replace them with new automatic flashing light signals and gates, the existing warning devices are controlled by modern constant warning time circuitry; the existing LED signal units will be removed and re-installed on the new warning devices;

111<sup>th</sup> Street

- a) the COMPANY should remove the existing automatic flashing light signals and replace them with new automatic flashing light signals and gates; the existing warning devices are controlled by modern constant warning time circuitry; the existing LED signal units will be removed and re-installed on the new warning devices;

Gaylord Road

- a) the COMPANY should remove the existing automatic flashing light signals and replace them with new automatic flashing light signals and gates; the existing warning devices are controlled by modern constant warning time circuitry; the existing LED signal units will be removed and re-installed on the new warning devices;

Section 3 The Company has prepared preliminary estimates of cost which is attached as Exhibits B, B-1, and B-2, to accomplish the proposed improvements which it may be required to perform; The Company shall upon Order, according to the requirements contained therein, prepare detailed drawings, detailed circuit plans, estimates of cost, and any required specifications for the proposed improvements for the approval of the Commission and Department.

Section 4 The Company shall upon Order, according to the requirements contained therein, proceed toward the completion of the proposed improvements, accomplishing the work with its own forces or appropriate contracted services and agrees that an appropriate time for the submission of plans should be one hundred twenty (120) days, for the submission of progress reports should be six (6) months and for the completion of the proposed improvements should be twelve (12) months, from the date of

Commission Order subsequent to this agreement.

Section 5            The parties hereto agree that an equitable division of cost for the proposed improvements should be:

95<sup>th</sup> Street

- a) the cost to perform the warning device improvements, estimated at \$ 46,990, should be allocated 90% to the Grade Crossing Protection Fund (Fund), not to exceed \$42,291, with the Company bearing any remaining cost after payment from the Fund, as well as all future operation and maintenance cost thereof;

111<sup>th</sup> Street

- a) the cost to perform the warning device improvements, estimated at \$46,990, should be allocated 90% to the Fund, not to exceed \$42,291, with the Company bearing any remaining cost after payment from the Fund, as well as all future operation and maintenance cost thereof;

Gaylord Road

- a) the cost to perform the warning device improvements, estimated at \$49,654, should be allocated 90% to the Fund, not to exceed \$44,689, with the Company bearing any remaining cost after payment from the Fund, as well as all future operation and maintenance cost thereof;

Section 6            Special Provisions: The Company shall file a written report with the Director of Processing within fifteen (15) days of the conclusion of each calendar quarter, stating the status of expenditures of their portions of the project and the percentage of completion of the project; if the project is behind schedule the report must include a brief explanation of the reason(s) for the delay.

All bills for expenditures authorized to be reimbursed from the Grade Crossing Protection Fund shall be submitted to Mr. Henry Cronister, Bureau of Local Roads and Streets, Main Office, Illinois Department of Transportation at 2300 South Dirksen Parkway, Room 205, Springfield, Illinois, 62764. The Department shall submit a copy of all bills received to the Director of Processing and Information, Transportation Division of the Commission. The final bill for expenditures from each party shall be clearly marked "Final Bill". All bills shall be submitted to the Department and Commission no later than twenty four (24) months from the date of Commission Order subsequent to this agreement. Authorization for reimbursement from the Grade Crossing Protection Fund shall expire twelve (12) months after the completion date specified in the Order. The Department shall, at the end of the 24<sup>th</sup> month from the Commission's Order date, de-obligate all residual funds accountable for installation costs for this project.

The Company shall within ninety (90) days of the date of Commission's Order subsequent to this Agreement, submit to the Director of Processing, Transportation Division of the Commission, the name, title, mailing address, phone number and facsimile number of a project manager.

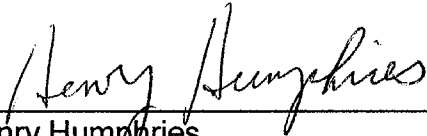
In Witness Whereof, the parties have caused this agreement to be executed by their duly authorized officers, as of the dates indicated herein.

Executed by the Commission this 9<sup>th</sup> day of June, 2000.



Michael E. Stead  
Railroad Safety Program Administrator

Attest:



Henry Humphries,  
Railroad Safety Specialist

Illinois Commerce Commission Stipulated Agreement No. 934 concerning improvements at the crossings of the Elgin, Joliet and Eastern Railway Company's track with public highways known as 95<sup>th</sup> Street and 111<sup>th</sup> Street located near Plainfield in Wheatland Township and Gaylord Road located near Crest Hill in Plainfield Township, Will County Illinois, designated as crossings DOT 260 565G, milepost 57.80-A, DOT 260 567V, milepost 59.40-A, and DOT 260 589V, milepost 68.44-A, respectively.

Executed by the Township of Wheatland in Will County this 19<sup>th</sup> day of June 2000.

WHEATLAND TOWNSHIP, WILL  
COUNTY

By: Wayne E. Jannuzzi

Attest:

James S. Penner

Illinois Commerce Commission Stipulated Agreement No. 934 concerning improvements at the crossings of the Elgin, Joliet and Eastern Railway Company's track with public highways known as 95<sup>th</sup> Street and 111<sup>th</sup> Street located near Plainfield in Wheatland Township and Gaylord Road located near Crest Hill in Plainfield Township, Will County Illinois, designated as crossings DOT 260 565G, milepost 57.80-A, DOT 260 567V, milepost 59.40-A, and DOT 260 589V, milepost 68.44-A, respectively

Executed by the Company this 16th day of June 2000.

THE ELGIN, JOLIET AND EASTERN  
RAILWAY COMPANY

By: Dennis R. Quid

Attest:

MS Husted

Illinois Commerce Commission Stipulated Agreement No. 934 concerning improvements at the crossings of the Elgin, Joliet and Eastern Railway Company's track with public highways known as 95<sup>th</sup> Street and 111<sup>th</sup> Street located near Plainfield in Wheatland Township and Gaylord Road located near Crest Hill in Plainfield Township, Will County Illinois, designated as crossings DOT 260 565G, milepost 57.80-A, DOT 260 567V, milepost 59.40-A, and DOT 260 589V, milepost 68.44-A, respectively

Executed by the Department this 28<sup>TH</sup> day of JULY 2000.

STATE OF ILLINOIS

DEPARTMENT OF TRANSPORTATION

By:

James C. Slifer  
Director of Highways



Illinois Commerce Commission Stipulated Agreement No. 934 concerning improvements at the crossings of the Elgin, Joliet and Eastern Railway Company's track with public highways known as 95<sup>th</sup> Street and 111<sup>th</sup> Street located near Plainfield in Wheatland Township and Gaylord Road located near Crest Hill in Plainfield Township, Will County Illinois, designated as crossings DOT 260 565G, milepost 57.80-A, DOT 260 567V, milepost 59.40-A, and DOT 260 589V, milepost 68.44-A, respectively.

Executed by the City of Crest Hill in Will County this 3rd day of August 2000.

CREST HILL

By: Donald L. Randick Mayor

Attest:

Christine Vershays by [Signature]

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT SURVEY FORM

RR/Line EJ&E Milepost 57.80-A Inventory # 260 565G  
City (n) Plainfield Street 95<sup>th</sup> Street County Will  
Jurisdiction Twp. Urban      Rural XX Commercial X Residential X  
Street Surface Asphalt Width 20' Condition Fair  
Angle 53° Tracks Tangent Yes Degree of Curve -- Superelevation --  
Depth of Cut ----- Height of Fill -----

Crossing Surface

Track Centers	Elevation	Track	Type	Width	Condition
		<u>Main</u>	<u>FDT</u>	<u>40'</u>	<u>Fair</u>
<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

Intersecting Roads 100' Normantown Road 200' -----  
Traffic Control Devices Present Stop signs at Normantown Road  
ADT 6,300 Speed posted 50mph. Statewide Yes  
Schoolbuses Yes Hazardous Materials Yes Other         
Rail Traffic: Ft. 15/18@ 45 mph Pass. -- @ -- mph Switch         
Simultaneous Movements No Daylight and Dark Yes  
Present Protection AFLS/CWT

Advance Warning Signs Yes Pavement Marking No

## Visibility Study

Quad	Clearing Visibility	Obstruction	Stopping Visibility	Obstruction
NE	N/A		N/A	
NW	N/A		N/A	
SE	N/A		N/A	
SW	N/A		N/A	

### Approach Grades

East	<u>Meets</u>	'	<u>92</u>	%	<u>Ill.</u>	'	<u>Adm.</u>	%	<u>Code</u>	'	<u>1535</u>	%
West	<u>"</u>	'	<u>"</u>	%	<u>"</u>	'	<u>"</u>	%	<u>"</u>	'	<u>"</u>	%

Comments: \_\_\_\_\_

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

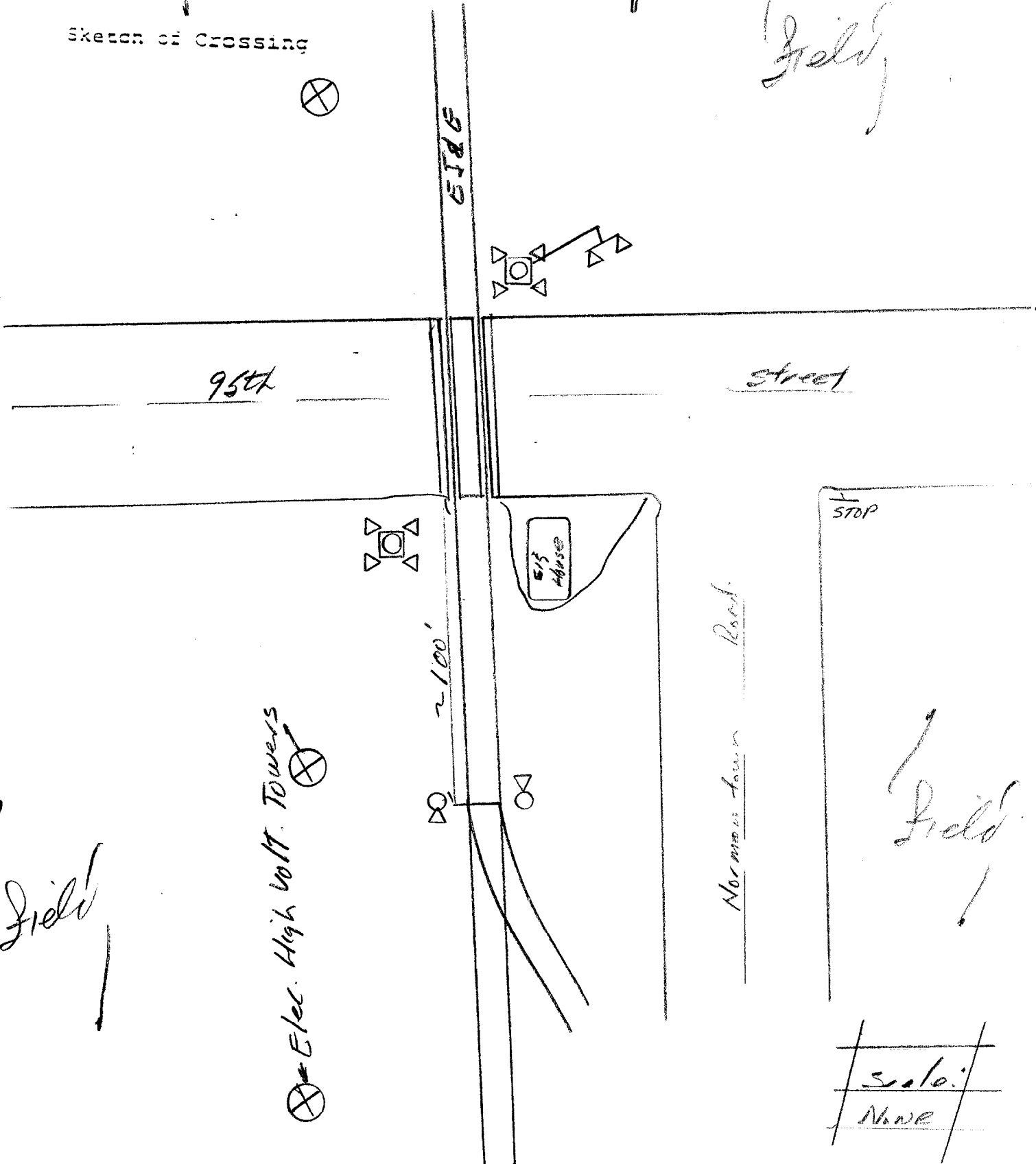
Field

Sketch of Crossing



Exhibit A  
Page 3

Field



STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT SURVEY FORM

RR/Line EJ&E Milepost 59.40-A Inventory # 260 567V  
City (N) Plainfield Street 111<sup>th</sup> Street County Will  
Jurisdiction Twp. Urban      Rural XX Commercial      Residential       
Street Surface Asphalt Width 24' Condition Fair  
Angle 90° Tracks Tangent Yes Degree of Curve -- Superelevation --  
Depth of Cut ----- Height of Fill -----

Crossing Surface

Track Centers	Elevation	Track	Type	Width	Condition
		<u>Main</u>	<u>Concrete</u>	<u>40'</u>	<u>New</u>
<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

Intersecting Roads 100' Normantown Road 200'         
Traffic Control Devices Present Stop signs at Normantown Road  
ADT 6,100 Speed posted 55mph. Statewide Yes  
Schoolbuses Yes Hazardous Materials Yes Other         
Rail Traffic: Ft. 15/18 @ 45 mph Pass. -- @ -- mph Switch         
Simultaneous Movements No Daylight and Dark Yes  
Present Protection AFLS

Advance Warning Signs Yes Pavement Marking No

## Visibility Study

Quad	Clearing Visibility	Obstruction	Stopping Visibility	Obstruction
NE	N/A		N/A	
NW	N/A		N/A	
SE	N/A		N/A	
SW	N/A		N/A	

## Approach Grades

East	<u>Meets</u>	'	<u>92</u>	%	<u>Ill.</u>	'	<u>Adm.</u>	%	<u>Code</u>	'	<u>1535</u>	%
West	<u>"</u>	'	<u>"</u>	%	<u>"</u>	'	<u>"</u>	%	<u>"</u>	'	<u>"</u>	%

Comments: \_\_\_\_\_

[illegible]

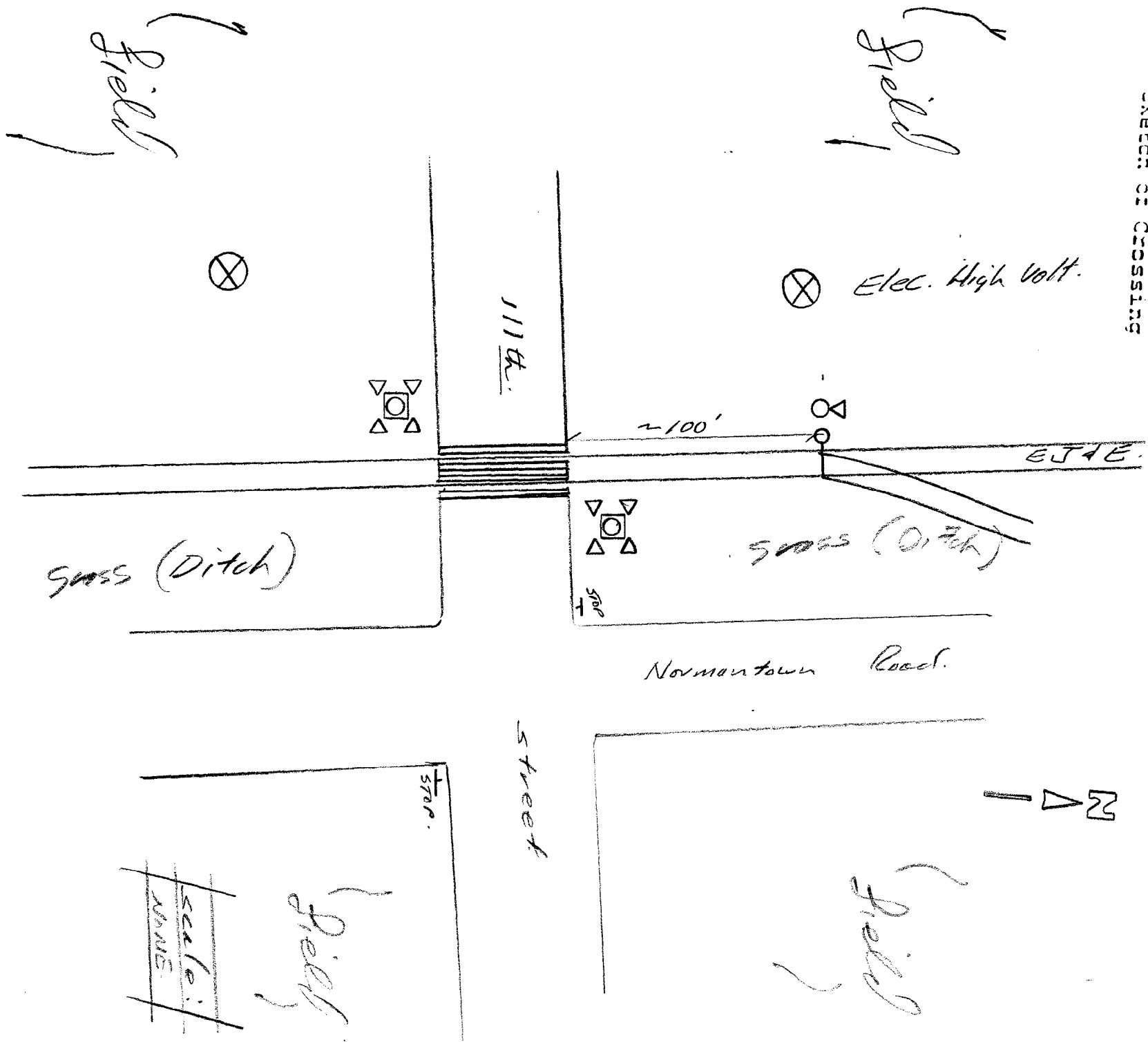
Exhibit -  
2a

(U)  
X  
D  
O  
J

O  
H.

C  
K  
O  
S  
T  
J  
Q

Towers



STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT SURVEY FORM

RR/Line EJ&E Milepost 68.44-A Inventory # 260 589V  
City (N) Crest Hill Street Gaylord Road County Will  
Jurisdiction Twp. Urban XX Rural      Commercial      Residential X  
Street Surface Asphalt Width 22' Condition Fair  
Angle 50° Tracks Tangent Yes Degree of Curve -- Superelevation --  
Depth of Cut ----- Height of Fill -----

Crossing Surface

Track Centers	Elevation	Track	Type	Width	Condition
		<u>Main</u>	<u>FDT</u>	<u>32'</u>	<u>Fair</u>
<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

Intersecting Roads 100' Emlong Street 200' Pvt. Road  
Traffic Control Devices Present None  
ADT 4,050 Speed posted (N) 30mph (S) 35mph Statewide Yes  
Schoolbuses Yes Hazardous Materials Yes Other       
Rail Traffic: Ft. 15/18 @ 45 mph Pass. -- @ -- mph Switch       
Simultaneous Movements No Daylight and Dark Yes  
Present Protection AFLS  
        
Advance Warning Signs Yes Pavement Marking No



## Visibility Study

Quad	Clearing Visibility	Obstruction	Stopping Visibility	Obstruction
NE	N/A		N/A	
NW	N/A		N/A	
SE	N/A		N/A	
SW	N/A		N/A	

### Approach Grades

North	<u>Meets</u>	'	<u>92</u>	%	<u>Ill.</u>	'	<u>Adm.</u>	%	<u>Code</u>	'	<u>1535</u>	%
South	<u>"</u>	'	<u>"</u>	%	<u>"</u>	'	<u>"</u>	%	<u>"</u>	'	<u>"</u>	%

Comments: \_\_\_\_\_

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.



Exhibit A - Z  
Page 3

Sketch of Crossing

field

field

Road.



Elec.  
High Volt.  
Towers.



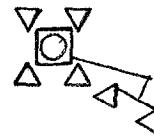
Sig.  
cab.



E I E



Ditch (grass area)



Em long street.

Gay land



field

scale:  
None

# DETAILED ESTIMATE

EXHIBIT B  
PAGE 1

Name of Carrier: Elgin Joliet and Eastern Railway Company	Date 1/28/00	Page 1 of 1
--	-----------------	-------------

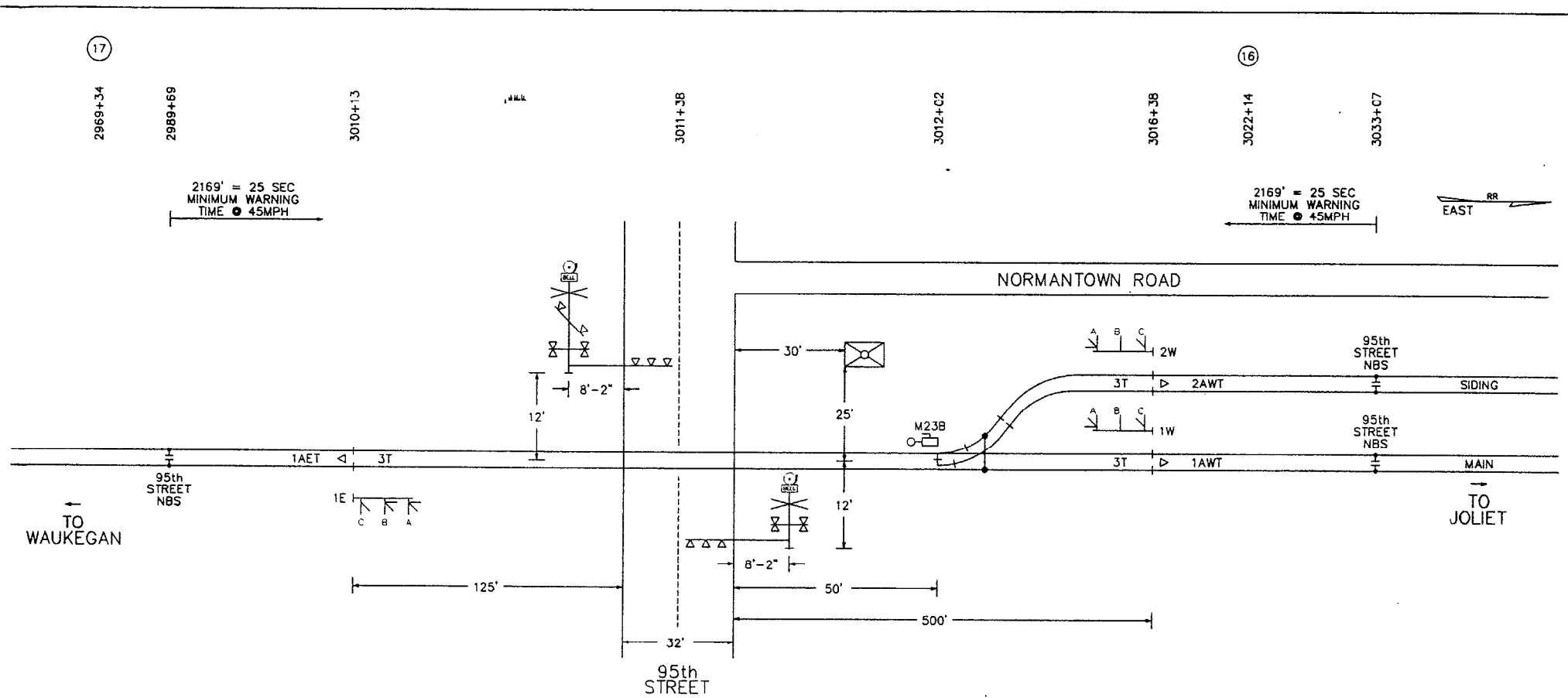
Description and Location of Project:

Add Gates With Flashing Lights to 95<sup>th</sup> Street Existing Crossing Warning System.  
AAR/DOT #260 565G, Milepost 16.20.

LOCATION Plainfield

Description	Unit	# of Units	Unit Cost	Material Cost	Labor	Total
Two Gate Mechanisms with Gates, LED Lights, Bells and Gate Foundations	lot	1	\$18,000	\$18,000		
Signal Cable 5/C #6 awg - Gate	ft.	500	4.70	2,350		
Signal Cable 12/C #9 awg - Gate	ft.	500	6.00	3,000		
Other Miscellaneous Material	lot	1	1,500	<u>1,500</u>		
Subtotal Material				24,850		
Add 11% for Handling				<u>2,734</u>		
TOTAL MATERIAL				27,584		\$27,584
<u>Labor</u>						
Signalman	mh	400	19.00		\$7,600	
Signal Foreman	mh	60	21.50		1,290	
Engineering and Accounting	lot	1	1,000		<u>1,000</u>	
Subtotal Labor					9,890	
Add Fringe (.76)					<u>7,516</u>	
TOTAL LABOR					17,406	17,406
Equipment Rental	lot	1	2,000	2,000		<u>2,000</u>
Net Project Expenditure						<u>\$46,990</u>

Figured By: R. A. Senffner



# LEGEND



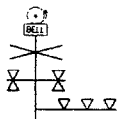
8'x10' BUNGALOW WITH VHLIC & 95th ST. CROSSING WARNING SYSTEM HARDWARE. PTMW



MULTI FREQUENCY NBS SHUNTS



ELECTRO CODE



MODEL 40 GATES WITH LED LIGHTS

EXHIBIT B  
PAGE 2

AAR/DOT # 260 565G

		10				ELGIN, JOLIET & EASTERN RAILWAY COMPANY	
		9				95th STREET PLAINFIELD, ILLINOIS TRACK PLAN	
8						DRAWN BY: J. B. BAKER	
7						DATE: 10/1/48	
6						SCALE: 1"=40'	
5						IN CHARGE OF: J. B. BAKER	
4						FILE NO. CWS-0001-01	
3						SHEET NO. 1	
2						COUNTS OF	
1		REVISE		BY	DATE		
NO		DESCRIPTION		BY	DATE		

## DETAILED ESTIMATE

Name of Carrier: Elgin Joliet and Eastern Railway Company	Date 1/28/00	Page 1 of 1
--	-----------------	-------------

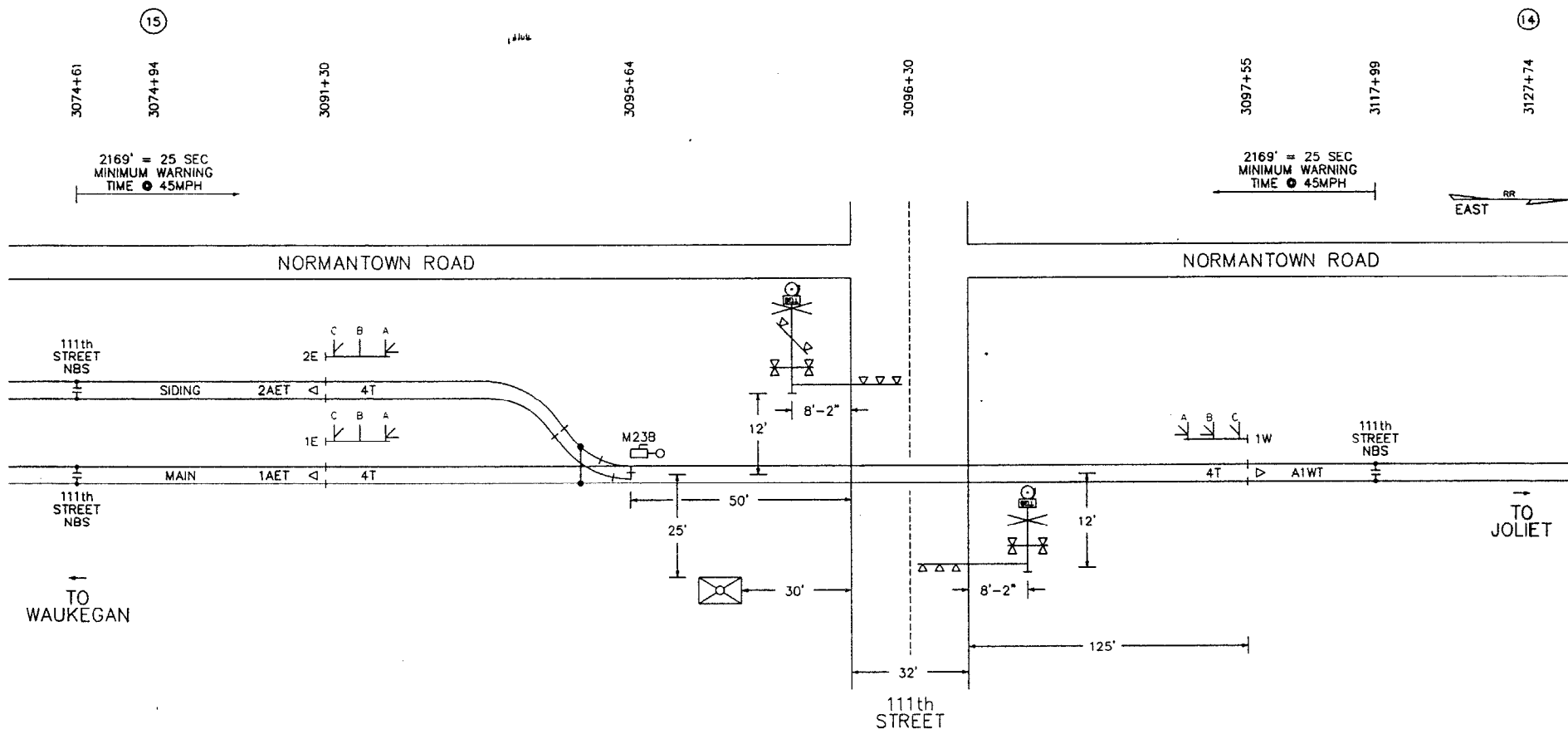
## Description and Location of Project:

Add Gates With Flashing Lights to 111<sup>th</sup> Street Existing Crossing Warning System.  
AAR/DOT #260 567V, Milepost 14.60.

LOCATION Plainfield

Description	Unit	# of Units	Unit Cost	Material Cost	Labor	Total
Two Gate Mechanisms with Gates, LED Lights, Bells and Gate Foundations	lot	1	\$18,000	\$18,000		
Signal Cable 5/C #6 awg - Gate	ft.	500	4.70	2,350		
Signal Cable 12/C #9 awg - Gate	ft.	500	6.00	3,000		
Other Miscellaneous Material	lot	1	1,500	<u>1,500</u>		
Subtotal Material				24,850		
Add 11% for Handling				<u>2,734</u>		
TOTAL MATERIAL				27,584		\$27,584
<u>Labor</u>						
Signalman	mh	400	19.00		\$7,600	
Signal Foreman	mh	60	21.50		1,290	
Engineering and Accounting	lot	1	1,000		<u>1,000</u>	
Subtotal Labor					9,890	
Add Fringe (.76)					<u>7,516</u>	
TOTAL LABOR					17,406	17,406
Equipment Rental	lot	1	2,000	2,000		<u>2,000</u>
Net Project Expenditure						<u>\$46,990</u>

Figured By: R. A. Senffner



# LEGEND



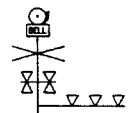
8'x10' BUNGALOW WITH VHLC & 95th ST. CROSSING WARNING SYSTEM HARDWARE, PTMW



MULTI FREQUENCY NBS SHUNTS



ELECTRO CODE



MODEL 40 GATES WITH LED LIGHTS

EXHIBIT B-1  
PAGE 2

AAR/DOT # 260 567V

		8				ELGIN, JOLIET & EASTERN RAILWAY COMPANY	
		7				111th STREET PLAINFIELD, ILLINOIS TRACK PLAN	
1		REVISE	BY	DATE	DESCRIPTION	CHANGED BY	DATE
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							
46							
47							
48							
49							
50							
51							
52							
53							
54							
55							
56							
57							
58							
59							
60							
61							
62							
63							
64							
65							
66							
67							
68							
69							
70							
71							
72							
73							
74							
75							
76							
77							
78							
79							
80							
81							
82							
83							
84							
85							
86							
87							
88							
89							
90							
91							
92							
93							
94							
95							
96							
97							
98							
99							
100							

## DETAILED ESTIMATE

Name of Carrier: Elgin Joliet and Eastern Railway Company	Date 1/28/00	Page 1 of 1
--	-----------------	-------------

## Description and Location of Project:

Add Gates to Existing Crossing Warning System at Gaylord Road. AAR/DOT #260 589V,  
Milepost 5.56.

LOCATION Crest Hill

Description	Unit	# of Units	Unit Cost	Material Cost	Labor	Total
Two Gate Mechanisms with Gates, LED Lights, Bells and Gate Foundation and Controller Upgrade.	lot	1	\$20,400	\$20,400		
Signal Cable 5/C #6 awg - Gate	ft.	500	4.70	2,350		
Signal Cable 12/C #9 awg - Gate	ft.	500	6.00	3,000		
Other Miscellaneous Material	lot	1	1,500	<u>1,500</u>		
Subtotal Material				27,250		
Add 11% for Handling				<u>2,998</u>		
TOTAL MATERIAL				30,248		\$30,248
<u>Labor</u>						
Signalman	mh	400	19.00		\$7,600	
Signal Foreman	mh	60	21.50		1,290	
Engineering and Accounting	lot	1	1,000		<u>1,000</u>	
Subtotal Labor					9,890	
Add Fringe (.76)					<u>7,516</u>	
TOTAL LABOR					17,406	17,406
Equipment Rental	lot	1	2,000	2,000		<u>2,000</u>
Net Project Expenditure						<u>\$49,654</u>

Figured By: R. A. Senffner

